

61
 **Sterne Kessler
Goldstein Fox**
ATTORNEYS AT LAW



AFI 1644

Robert Greene Sterne	Judith U. Kim	Elizabeth J. Haanes	Timothy A. Doyle*	Eric D. Hayes
Edward J. Kessler	Timothy J. Shea, Jr.	Joseph S. Ostroff	Gaby L. Longsworth*	Michelle K. Holoubek
Jorge A. Goldstein	Patrick E. Garrett	Frank R. Cottingham	Nicole D. Dretar*	Robert H. DeSelms
David K.S. Cornwell	Heidi L. Kraus	Christine M. Lhuiler	Ted J. Ebersole	Simon J. Elliott
Robert W. Esmond	Edward W. Yee	Rae Lynn Pengaman	Jyoti C. Iyer*	Julie A. Heider
Tracy Gene G. Durkin	Albert L. Ferro*	Jane Shershenovich*	Registered Patent Agents*	Mita Mukherjee
Michele A. Cimbala	Donald R. Banowitz	George S. Bardmessier	Karen R. Markowicz	Scott M. Woodhouse
Michael B. Ray	Peter A. Jackman	Daniel A. Klein*	Nancy J. Leith	
Robert E. Sokohl	Teresa U. Medler	Jason D. Eisenberg	Helene C. Carlson	
Eric K. Steffe	Jeffrey S. Weaver	Michael D. Specht	Matthew J. Dowd	
Michael Q. Lee	Kendrick P. Patterson	Andrea J. Kamage	Aaron L. Schwartz	
Steven R. Ludwig	Vincent L. Capuano	Tracy L. Muller*	Katrina Y. Pei Quach	
John M. Covert	Eldora Ellison Floyd	LiuAnne M. DeSantis	Bryan L. Skelton	
Linda E. Alcorn	Thomas C. Fiala	John J. Figueiroa	Robert A. Schwartzman	
Robert C. Millanig	Brian J. Del Buono	Ann E. Summerfield	Teresa A. Colella	
Donald J. Featherstone	Virgil Lee Beaston	Tiera S. Coston	Jeffrey S. Lundgren	
Lawrence B. Bugalsky	Kimberly N. Reddick	Aric W. Ledford*	Victoria S. Rutherford	
Michael V. Messinger	Theodore A. Wood	Jessica L. Parezo		

Of Counsel
Kenneth C. Bass III
Evan R. Smith
Marvin C. Guthrie

*Admitted only in Maryland
†Admitted only in Virginia
•Practice Limited to Federal Agencies

May 3, 2004

WRITER'S DIRECT NUMBER:
(202) 772-8676

Art Unit 1644

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Re: U.S. Utility Patent Application
Application No. 08/380,200; Filed: January 30, 1995
For: **New Protein-Polycation Conjugates**
Inventors: Birnstiel *et al.*
Our Ref: 0652.1080001/EKS/JUK

Sir:

Transmitted herewith for appropriate action are the following documents:

1. SKGF Cover Letter;
2. Fee Transmittal PTO/SB/17;
3. PTO-2038 Credit Card Form for \$1,280 to cover: Notice of Appeal Fee and Extension of Time Fee;
4. Petition for Extension of Time Under 37 C.F.R. 1.136(a)(1);
5. Notice of Appeal; and
6. One (1) return postcard.

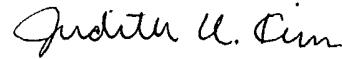
It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents
May 3, 2004
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Judith U. Kim
Attorney for Applicants
Registration No. 40,679

JUK:cpn
Enclosures

259398_1.DOC

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL

for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 1,280.00)

Complete if Known

Application Number	08/380,200
Filing Date	January 30, 1995
First Named Inventor	Max L. Birnstiel
Examiner Name	Patrick J. Nolan
Art Unit	1644
Attorney Docket No.	0652.1080001/EKS/JUK

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Order Other** None

 **Charge any deficiencies or credit any overpayments in Deposit Account: the fees to Deposit Acct. No. 19-0036.

Deposit Account Number 19-0036
 Deposit Account Name Sterne Kessler, Goldstein & Fox P.L.L.C.

The Director is authorized to: (check all that apply)

- Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee			
1002 340	2002 170	Design filing fee			
1003 530	2003 265	Plant filing fee			
1004 770	2004 385	Reissue filing fee			
1005 160	2005 80	Provisional filing fee			
SUBTOTAL (1)		(\$)	0		

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
			- 20 **=	X	=
			- 3 **=	X	=

Large Entity	Small Entity	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)		(\$)

*or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	950.00
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	330.00
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify) _____			
*Reduced by Basic Filing Fee Paid		SUBTOTAL (3)	(\$)

1,280.00

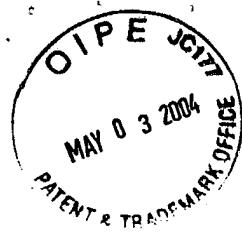
SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Judith U. Kim	Registration No. (Attorney/Agent)	40,679	Telephone	(202) 371-2600
Signature	Judith U. Kim			Date	May 3, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Birnstiel *et al.*

Appl. No.: 08/380,200

Filed: January 30, 1995

For: **New Protein-Polycation
Conjugates**

Confirmation No.: 5449

Art Unit: 1644

Examiner: Patrick J. Nolan

Atty. Docket: 0652.1080001/EKS/JUK

Petition for Extension of Time Under 37 C.F.R. § 1.136(a)(1)

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

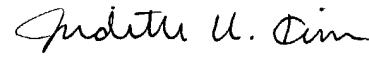
It is hereby requested that the period for replying to the outstanding Office Action be extended three (3) months from February 3, 2004 to May 3, 2004 by the filing of this Petition and fee payment.

The petition fee (37 C.F.R. § 1.17(a)) is believed to be \$950.00 for a three month extension for a large entity. Fee payment is provided in our accompanying PTO-2038 Credit Card Payment Form. However, if extensions of time under 37 C.F.R. § 1.136 other than those provided herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Judith U. Kim
Attorney for Applicants
Registration No. 40,679

Date: May 3, 2004

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600